

AB:TBM

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

- against -

SHAMEL CHUNG,

Defendant.

AFFIDAVIT IN SUPPORT OF
REMOVAL TO THE
NORTHERN DISTRICT OF
NEW YORK
(Fed. R. Crim. P. 5)

Case No. 21-518 M

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EASTERN DISTRICT OF NEW YORK, SS:

EDWARD J. MARTIN, being duly sworn, deposes and states that he is a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives (“ATF”), duly appointed according to law and acting as such.

On or about April 13, 2021, the United States District Court for the Northern District of New York issued an arrest warrant commanding the arrest of the defendant SHAMEL CHUNG on an Indictment charging him with violations of Title 18, United States Code, Sections 922(g)(1) (felon in possession of a firearm) and 922(k) (possession of a firearm with an obliterated serial number).

The source of your deponent’s information and the grounds for his belief are as follows:¹

¹ Because the purpose of this affidavit is to set forth only those facts necessary to establish probable cause for removal, I have not described all of the relevant facts and circumstances of which I am aware.

1. On or about April 13, 2021, the United States District Court for the Northern District of New York issued an arrest warrant commanding the arrest of the defendant SHAMEL CHUNG on an Indictment charging him with violations of Title 18, United States Code, Sections 922(g)(1) (felon in possession of a firearm) and 922(k) (possession of a firearm with an obliterated serial number). True and correct copies of the arrest warrant and Indictment are attached hereto as Exhibits A and B, respectively.

2. In late 2016, CHUNG was convicted of Attempted Criminal Possession of Narcotics in the Fourth Degree, in violation of New York Penal Law Section 220.09, in Rensselaer County Court. CHUNG was sentenced to three years' imprisonment and two years' supervised release. On or about December 6, 2016, CHUNG was released to the custody of the New York State Board of Parole, being supervised by the Northeastern Office. On or about June 15, 2018, CHUNG's parole was revoked for a violation and he was resentenced to an additional term of imprisonment. On or about October 9, 2018, CHUNG was released to the New York State Board of Parole, being supervised by the Queens Office, with his supervised release scheduled to expire in early 2024.

3. On or about April 27, 2021, at approximately 12:00 p.m., CHUNG attended a scheduled visit with his State Parole Officer in Queens, New York. I met the defendant at the State Parole Office, and he confirmed that his name was SHAMEL CHUNG.

4. I have seen a photograph of the defendant wanted in the Northern District of New York, and believe that he is one and the same person as the CHUNG I met today.

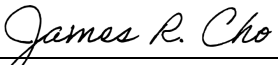
5. Based on the foregoing, I submit that there is probable cause to believe that the defendant is the SHAMEL CHUNG wanted in the Northern District of New York.

WHEREFORE, your deponent respectfully requests that the defendant SHAMEL CHUNG be removed to the Northern District of New York so that he may be dealt with according to law.



EDWARD J. MARTIN
Special Agent
Bureau of Alcohol, Tobacco, Firearms and
Explosives

Sworn to before me via telephone
this 27th day of April, 2021



THE HONORABLE JAMES R. CHO
UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK

Exhibit A

UNITED STATES DISTRICT COURT

for the

Northern District of New York

United States of America

v.

SHAMEL CHUNG,

Defendant

Case No.

1:21 - CR - 128 WAM

ARREST WARRANT

To: Any authorized law enforcement officer

YOU ARE COMMANDED to arrest and bring before a United States magistrate judge without unnecessary delay

(name of person to be arrested) SHAMEL CHUNG

who is accused of an offense or violation based on the following document filed with the court:

- ☒ Indictment ☐ Superseding Indictment ☐ Information ☐ Superseding Information ☐ Complaint
☐ Probation Violation Petition ☐ Supervised Release Violation Petition ☐ Violation Notice ☐ Order of the Court

This offense is briefly described as follows:

18 U.S.C. § 922(g)(1) and 924(a)(2) - Felon in Possession of a Firearm

18 U.S.C. § 922(k) and 924(a)(1) - Possession of a Firearm with an Obliterated Serial Number

Date: 04/13/2021



Issuing officer's signature

City and state: Albany, NY

Hon. Christian F. HUMMEL, U.S. Magistrate Judge

Printed name and title

Return

This warrant was received on (date) _____, and the person was arrested on (date) _____
at (city and state) _____.

Date: _____

Arresting officer's signature

Printed name and title

**This second page contains personal identifiers provided for law-enforcement use only
and therefore should not be filed in court with the executed warrant unless under seal.**

(Not for Public Disclosure)

Name of defendant/offender: _____

Known aliases: _____

Last known residence: _____

Prior addresses to which defendant/offender may still have ties: _____

Last known employment: _____

Last known telephone numbers: _____

Place of birth: _____

Date of birth: _____

Social Security number: _____

Height: _____ Weight: _____

Sex: _____ Race: _____

Hair: _____ Eyes: _____

Scars, tattoos, other distinguishing marks: _____

History of violence, weapons, drug use: _____

Known family, friends, and other associates (name, relation, address, phone number): _____

FBI number: _____

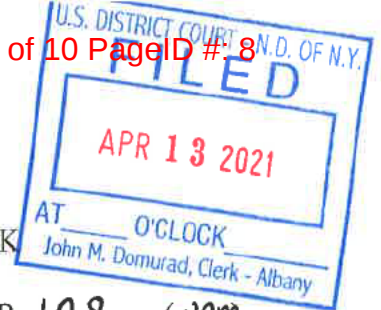
Complete description of auto: _____

Investigative agency and address: _____

Name and telephone numbers (office and cell) of pretrial services or probation officer (if applicable): _____

Date of last contact with pretrial services or probation officer (if applicable): _____

Exhibit B



IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

v.

SHAMEL CHUNG,

Defendant.

) Criminal No. 1:21-CR-128 (NAM)
)
) **Indictment**
)
) Violation(s): 18 U.S.C. § 922(g)(1) and
) 924(a)(2)
) [Felon in Possession of a
) Firearm]
)
) 18 U.S.C. § 922(k) and
) 924(a)(1)[Possession of a
) Firearm with an Obliterated
) Serial Number]
)
) 2 Counts
)
) County of Offense: Rensselaer

THE GRAND JURY CHARGES:

COUNT 1

[Felon in Possession of a Firearm]

On or about May 17, 2018, in Rensselaer County in the Northern District of New York, the defendant, **SHAMEL CHUNG**, knowing he had previously been convicted of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed in and affecting interstate commerce, a firearm, to wit: a 9mm Diamondback handgun, model D89FDE, which had the manufacturer's serial number removed, obliterated, and altered, in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

COUNT 2

[Possession of a Firearm with an Obliterated Serial Number]

On or about May 17, 2018, in Rensselaer County in the Northern District of New York, the defendant, **SHAMEL CHUNG**, knowingly possessed a firearm that had been shipped and

transported in interstate commerce, that is a 9mm Diamondback handgun, model D89FDE, which had the manufacturer's serial number removed, obliterated, and altered, knowing that the serial number had been removed, obliterated, and altered, in violation of Title 18, United States Code, Section 922(k).

FORFEITURE ALLEGATION

1. The allegations contained in Counts 1 and 2 of this indictment are hereby re-alleged and incorporated by reference for the purpose of alleging forfeiture pursuant to Title 18, United States Code, Section 924(d) and Title 28, United States Code, Section 2461(c).

2. Upon conviction of the offenses in violation of Title 18, United States Code, Sections 922(g)(1) and 922(k), set forth in Counts 1 and 2 of this indictment, the defendant, **SHAMEL CHUNG**, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 924(d) and Title 28, United States Code, Section 2461(c), any firearm and ammunition involved in and used in any knowing violation of the offense of conviction. The property to be forfeited includes, but is not limited to, the following:

A. A 9mm Diamondback handgun, model D89FDE, which had the manufacturer's serial number removed, obliterated, and altered

Dated: Click here to enter a date.

4/13/2021

A TRUE BILL. *redaction*

Grand Jury Foreperson

ANTOINETTE T. BACON
Acting United States Attorney

By:

A handwritten signature in black ink, appearing to read "Rachel L. Williams", is written over a horizontal line.

Rachel L. Williams
Assistant United States Attorney
Bar Roll No. 701542